

**REMARKS**

Claims 1-13 are pending in the application; the status of the claims is as follows:

Claims 1, 5-8, and 13 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,628,333 to Gowda, et al.

Claims 2, 9, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gowda in view of U.S. Patent No. 6,538,698 to Anderson.

Claims 3 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gowda.

Claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gowda in view of Anderson, and further in view of "Digital Photography Review Kodak Pro DCS620" ("Kodak").

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received, is noted with appreciation.

The indication, in the Office Action, that the Examiner has accepted the drawings filed with the application is noted with appreciation.

Claims 1 and 13 have been amended. These changes do not introduce any new matter.

Claims 14 – 31 have been added for examination. These additions do not introduce any new matter.

**35 U.S.C. § 102(e) Rejection**

The rejection of claims 1, 5-8, and 13 under 35 U.S.C. § 102(e), as being anticipated by Gowda, is respectfully traversed based on the following.

Claim 1, as amended, is not anticipated by Gowda because Gowda does not disclose every element and limitation of claim 1. Specifically, claim 1 recites “a controller adapted to control said first and second displays together . . . in response to an inputted command. ” The controller described in Gowda does not have this feature.

Gowda discloses an image capturing apparatus with two displays and a controller that directs image data from memory to one display or the other (see Fig. 3 and column 2, lines 38-44). The controller in Gowda may cause both displays to be active at the same time (see column 6, lines 3-5); however, the controller does not control the displays “together . . . in response to an inputted command” (see Fig. 1). Instead, Gowda explains that to display content on each display, each display must be operated separately by a user, either by separate sets of buttons dedicated to each display (column 5, lines 56-58), or by one set of buttons and a separate selection device to choose the display which shall be operated (column 6, lines 6-12), or by a menu displayed on each of the displays (column 6, lines 13-18). Thus, the controller in Gowda does not operate the two displays “together . . . in response to an inputted command.” Consequently, Gowda cannot anticipate the device of claim 1, which controls multiple displays using a controller configured in a way not described in Gowda.

Claim 5, which depends from claim 1, cannot be anticipated by Gowda for at least the same reasons that are explained above. In addition, claim 5 recites a separate element not found in Gowda. Specifically, the controller of claim 5 causes a second display to display “information about a setting in a shooting mode.” As explained more fully below, Gowda does not teach a device configured to display this particular information or its particular arrangement.

As noted above, Gowda describes a camera with two displays and teaches certain uses of the two displays. More specifically, Gowda teaches that images can be displayed on each screen (column 5, lines 1-10), or that either screen can display a list of images (column 5, line 66 through column 6, line 1), or that a menu for operating the displays of the camera can be displayed on either screen (column 6, lines 13-18; disclosing a menu corresponding to the buttons of column 5, lines 55-67). However, in contrast to the requirements of claim 5, Gowda does not teach a device configured to display the settings of the camera in a shooting mode, much less configured to display the particular combination of an image on one display and settings in a shooting mode on another.

It is noted that the Examiner has pointed to column 6, lines 29-32, of Gowda to illustrate that the Gowda device displays settings in a shooting mode. However, the content of these lines, in the context of the whole paragraph containing them, does not support the Examiner's position. The paragraph encompassing those lines explains that the controller of the Gowda device can perform some basic image processing. Line 29 is the trailing end of a statement that processing can be performed on an image in either display. Lines 30-32 simply list the processing functions that can be applied. This paragraph does not explain that any particular settings can or will be displayed on either display.

Since Gowda does not teach a device configured to display the particular combination or arrangement of information described by claim 5, Gowda cannot anticipate the device of claim 5.

Claim 6, which depends from claim 1, cannot be anticipated by Gowda for at least the same reasons that are explained in regard to claim 1. In addition, claim 6 recites a separate element not found in Gowda. Specifically, the controller of claim 6 causes a second display to display "information about [the image] having been subjected to image correction." As explained more fully below, Gowda does not teach a device configured to display this particular information or its particular arrangement.

Gowda does not teach a device configured to display “information about [the image] having been subjected to image correction.” Moreover, Gowda does not disclose the particular combination of an image on one display and the information on another. Instead, Gowda simply indicates that a camera with two displays can perform image correction. The Examiner has found this disclosure in column 6, lines 29-32. As explained above, those lines list the processing functions which might be applied to a displayed image. At most, the paragraph preceding those lines indicates that the processing functions may be selected from a menu, but the lines do not indicate that the settings for those functions will actually be displayed. More importantly, such a list of functions is information *about available processes*, which is not identical to the information in claim 6, which is information *about the image having been subjected to image correction*.

Thus, claim 6 describes a device configured to display information not mentioned in Gowda in an arrangement not mentioned in Gowda. Consequently, Gowda cannot anticipate claim 6.

Claim 7, which depends from claim 6, cannot be anticipated by Gowda for at least the same reasons that are explained in regard to claim 6 and those reasons explained regarding claim 1 from which claim 6 depends. In addition, claim 7 recites a separate feature not found in Gowda. Specifically, the controller of claim 7 causes a second display to display “information about [the image] having been subjected to image correction” which includes “a correctable item associated with said image correction, and information about a setting of said correctable item.”

Gowda does not teach the reader to display “information about [the image] having been subjected to image correction” which includes “a correctable item associated with said image correction, and information about a setting of said correctable item.” At most, Gowda lists available processing functions which can be applied to an image and discloses that a menu for selecting one of the functions can be displayed. This is not the same as the

information described in claim 7, which includes a correctable item and a setting both of which are *about the image having been subjected to image correction*. Gowda does not teach a device configured to display this particular information, much less display the particular combination of an image on one display and the information of interest on another. Consequently, Gowda cannot anticipate claim 7.

Claim 8, which depends from claim 6, cannot be anticipated by Gowda for at least the same reasons that are explained in regard to claim 6 and those reasons explained regarding claim 1 from which claim 6 depends. In addition, claim 8 recites a separate element not found in Gowda. Specifically, the controller of claim 8, in addition to causing the each display to display differing information, also forces the first display to turn on when image correction is performed. A controller with this property is not disclosed in Gowda.

As explained above, Gowda discloses *separate, user-driven* operation of each display. To display content on both displays, users may use separate sets of buttons to select the content for each display (column 5, line 55 through column 6, line 5), or a single set of buttons and a screen-selection switch (column 6, lines 6-13), or they may use a menu on either display resulting in the same *separate* operation of the displays (column 6, lines 14-25). Importantly, Gowda does not indicate that the controller controls both displays together or turn either display on when image connection is performed. Consequently, Gowda cannot anticipate claim 8.

Claim 13, as amended, is not anticipated by Gowda because the steps recited by claim 13 for operating an image capturing apparatus are not disclosed in Gowda. Specifically, claim 13 recites “receiving an inputted command; displaying a captured image on said first display in response to said inputted command; and also displaying information different from said captured image on said second display at the same time that said captured image is displayed on said first display in response to said inputted command.” Gowda does not describe operating an image capturing apparatus in this way.

As explained above, regarding claim 1, Gowda teaches separate operation of each display. To display content on both displays a *user* must operate each display *separately* to select the content or the function of the display. This may be accomplished using separate sets of buttons (column 5, line 55 through column 6, line 5), or by using a single set of buttons and a screen-selection switch (column 6, lines 6-13), or by using a menu which appears on either display (column 6, lines 14-25). Thus, Gowda does not disclose operating an image capturing apparatus by receiving an inputted command and displaying information on multiple displays together in response. Consequently, Gowda cannot anticipate claim 13.

Accordingly, it is respectfully requested that the rejection of claims 1, 5-8, and 13 under 35 U.S.C. § 102(e), as being anticipated by Gowda, be reconsidered and withdrawn.

#### **35 U.S.C. § 103(a) Rejections**

The rejection of claims 2, 9, and 12 under 35 U.S.C. § 103(a), as being unpatentable over Gowda in view of Anderson, is respectfully traversed based on the following.

In order for a claim to be obvious over a set of references, the references together must teach every element and limitation of the claim and the references must contain a suggestion or motivation for their combination. Claim 2 is not obvious over Gowda in view of Anderson because, when combined, the references fail to disclose a controller like that of claim 2.

First, claim 2 is not obvious over Gowda and Anderson because it includes a controller not disclosed by the combination of Gowda and Anderson. Specifically, claim 2 includes the elements of claim 1 from which it depends, and as amended, claim 1 recites “a controller adapted to control said first and second displays together . . . in response to a inputted command.” As explained above, this controller is different than the controller described by Gowda. In particular, the controller of Gowda permits two displays to be

active contemporaneously but requires separate user-driven operation of each display. The controller of claim 2 is also not found in Anderson. Anderson discloses sorting and retrieving images using only one display (Figures 2A, 8A-8C, and 11A-B). Thus, the controller in Anderson (see Fig. 1) is not configured to control multiple displays at all. Thus, neither reference discloses operating two displays in response to an inputted command. Consequently, the references cannot be combined to disclose a controller that controls two displays together in response to an inputted command.

The combination of references also fails to disclose a separate aspect of the controller in claim 2. Claim 2 requires the controller to be adapted such that it causes a first display to display a captured image while a second display “simultaneously displays [information different from said captured image] and said captured image.” A controller with this particular configuration is not disclosed when Gowda and Anderson are combined.

As explained above, Gowda’s controller is configured to display one of the following items on each display: an image (column 5, lines 1-10), a list of images (column 5, line 66 through column 6, line 1), or a menu (column 6, lines 13-18; disclosing a menu corresponding to the buttons of column 5 lines 55-67). On the other hand, Anderson’s controller will display an image combined with information on a single display (Figures 2A, 8A-8C, and 11A-B). These two controllers cannot simply be combined to yield the controller of claim 2. An imaginary composite of the referenced controllers will either (1) display a combination of images and lists and menus between two displays, *or* (2) it will cause only one display to display an image combined with information. However, this combination is unlike the controller of claim 2 because the controller of claim 2: (1) controls both screens together in response to an inputted command *and* (2) displays an image on one display while an image combined with information is shown on another. Thus, claim 2 describes a controller configured so that a particular arrangement of images and information is displayed, and this arrangement is not disclosed by a straightforward combination of Gowda and Anderson.

Accordingly, claim 2 is not obvious over Gowda and Anderson because it contains elements and limitations not present in the combination of references.

Claim 9, which depends from claim 1, is not obvious over Gowda in view of Anderson for at least the reasons explained above. Specifically, claim 1, as amended, recites “a controller adapted to control said first and second displays together . . . in response to an inputted command,” which is an element that is not found in the combination of Gowda and Anderson.

Further, claim 9 is not obvious over Gowda in view of Anderson because claim 9 recites a separate aspect for the controller not found in the combination of references. Specifically, claim 9 requires the controller to be adapted to cause a first display to display a captured image and a second display to display “additional information about [the] captured image.” Even if combined, Gowda and Anderson do not disclose a controller with the same configuration.

As explained above, Gowda discusses previewing and comparing images side-by-side to choose the best image for printing (column 1, lines 20-24 and 52-53 and column 6, lines 3-5), and it discloses that either screen can display an image, a list of images or a menu. Gowda does not disclose that one screen will display an image while the other displays information about the image. Anderson, on the other hand, discusses sorting and retrieving images using only a single display (Figures 2A, 8A-8C, and 11A-B). In Anderson, images and information are always displayed on the same screen.

The combination of the references do not disclose the controller of claim 9 because, if the controllers of Gowda and Anderson were combined, the resulting composite controller would either (1) display a combination of images and lists and menus between two displays, *or* (2) cause only one display to display an image combined with information. The controller of claim 9 is different than this imaginary composite controller because it (1) controls both screens together in response to an inputted command *and* (2) displays an image on one display while information about the image is



shown on another. Thus, the combination of Gowda and Anderson requires something more to teach a controller that is configured to accomplish the particular arrangement of information described in claim 9.

Accordingly, claim 9 is not obvious over Gowda and Anderson because it includes elements and limitations not present in the combination of references.

Claim 12, which depends from claim 9, is not obvious over Gowda and Anderson for at least the same reasons expressed above.

Accordingly, it is respectfully requested that the rejection of claims 2, 9, and 12 under 35 U.S.C. § 103(a), as being unpatentable over Gowda in view of Anderson, be reconsidered and withdrawn.

The rejection of claims 3 and 4 under 35 U.S.C. § 103(a), as being unpatentable over Gowda, is respectfully traversed based on the following.

Claim 3 is not obvious over Gowda because claim 3 recites elements or limitations not taught or suggested by Gowda.

Claim 3 depends from claim 1, and as amended, claim 1 recites “a controller adapted to control said first and second displays together . . . in response to an inputted command.” As explained above, this element is not found in Gowda. In fact, Gowda even teaches away from this element because Gowda discusses a controller which requires separate user-driven operation of each display. Consequently, claim 3, which depends from claim 1, cannot be obvious over Gowda because claim 3 contains an element from which Gowda teaches away.

Claim 4 depends from claim 3. Thus, claim 4 cannot be obvious over Gowda for at least the same reasons expressed in regard to claim 3.

Accordingly, it is respectfully requested that the rejection of claims 3 and 4 under 35 U.S.C. § 103(a), as being unpatentable over Gowda, be reconsidered and withdrawn.

The rejection of claims 10 and 11 under 35 U.S.C. § 103(a), as being unpatentable over Gowda in view of Anderson and further in view of Kodak, is respectfully traversed based on the following.

Claim 10 is not obvious over Gowda in view of Anderson and in view of Kodak because claim 10 recites elements not disclosed by the combined references.

First, claim 10, which depends from claim 1, is not obvious over Gowda in view of Anderson in view of Kodak because claim 1 recites “a controller adapted to control said first and second displays together . . . in response to an inputted command.” As explained above, this element is not found in the combination of Gowda and Anderson. Kodak adds nothing new. Kodak, like Anderson, shows a camera using only one display to display an image and information. It teaches no more about controlling multiple displays and arranging images and information among them than Anderson does. Thus, all three references, if combined, still fail to teach a controller that controls two displays together in response to an inputted command.

Second, claim 10 is not obvious over Gowda, Anderson and Kodak because claim 10 includes an additional element not disclosed by the combination of references. Specifically, claim 10 requires the controller to be adapted such that it causes a first display to display a captured image and a second display to display “a histogram regarding exposure of said captured image.” Even if combined, the references do not disclose a controller with the same configuration.

As explained above, the combination of Gowda and Anderson teaches, at most, a hypothetical composite controller configured to either (1) display a combination of images and lists and menus between two displays, *or* (2) cause only one display to display an image combined with information. Kodak adds nothing new. Kodak, like Anderson,

Accordingly, it is respectfully requested that the rejection of claims 3 and 4 under 35 U.S.C. § 103(a), as being unpatentable over Gowda, be reconsidered and withdrawn.

The rejection of claims 10 and 11 under 35 U.S.C. § 103(a), as being unpatentable over Gowda in view of Anderson and further in view of Kodak, is respectfully traversed based on the following.

Claim 10 is not obvious over Gowda in view of Anderson and in view of Kodak because claim 10 recites elements not disclosed by the combined references.

First, claim 10, which depends from claim 1, is not obvious over Gowda in view of Anderson in view of Kodak because claim 1 recites “a controller adapted to control said first and second displays together . . . in response to an inputted command.” As explained above, this element is not found in the combination of Gowda and Anderson. Kodak adds nothing new. Kodak, like Anderson, shows a camera using only one display to display an image and information. It teaches no more about controlling multiple displays and arranging images and information among them than Anderson does. Thus, all three references, if combined, still fail to teach a controller that controls two displays together in response to an inputted command.

Second, claim 10 is not obvious over Gowda, Anderson and Kodak because claim 10 includes an additional element not disclosed by the combination of references. Specifically, claim 10 requires the controller to be adapted such that it causes a first display to display a captured image and a second display to display “a histogram regarding exposure of said captured image.” Even if combined, the references do not disclose a controller with the same configuration.

As explained above, the combination of Gowda and Anderson teaches, at most, a hypothetical composite controller configured to either (1) display a combination of images and lists and menus between two displays, *or* (2) cause only one display to display an image combined with information. Kodak adds nothing new. Kodak, like Anderson,

shows an image displayed with information on a single display. In the case of Kodak, the information includes a histogram. Kodak does not, however, bridge the gap to teach a controller that is configured to display the particular arrangement of images and information described in claim 10. In particular, the combination does not teach displaying an image on one display and information, including a histogram, on another. Thus, the combination of Gowda, Anderson and Kodak does not teach every element of claim 10.

Accordingly, claim 10 is not obvious over Gowda, Anderson and Kodak because claim 10 includes elements not taught by the combination of references.

Claim 11, which depends from claim 10, is likewise patentable over Gowda in view of Anderson in view of Kodak for at least the reasons expressed above. Also, it should be noted that Kodak does not disclose the further feature of claim 11, particularly that the histogram is displayed immediately after shooting the image. Instead, Kodak indicates that the user may choose to display the image after shooting and before recording by pressing a "select" button.

Accordingly, it is respectfully requested that the rejection of claims 10 and 11 under 35 U.S.C. § 103(a), as being unpatentable over Gowda in view of Anderson and further in view of Kodak, be reconsidered and withdrawn.

### **CONCLUSION**

In view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

This Amendment increases the number of independent claims by 4 from 2 to 6 (3 previously paid for), and increases the total number of claims by 18 from 13 to 31 (20 previously paid for), but does not present any multiple dependency claims. Accordingly, a

Application No. 09/738,071  
Amendment dated December 10, 2004  
Reply to Office Action of August 12, 2004

Response Transmittal and Fee Authorization form authorizing the amount of \$1,150.00 to be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260 is enclosed herewith in duplicate. However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

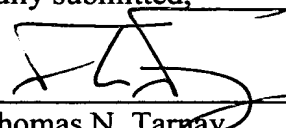
Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: \_\_\_\_\_

  
Thomas N. Tarnay  
Registration No. 41,341  
Attorney for Applicants

TNT:KBL:pm:jkk:bar  
SIDLEY AUSTIN BROWN & WOOD LLP  
717 N. Harwood, Suite 3400  
Dallas, Texas 75201  
Direct: (214) 981-3388  
Main: (214) 981-3300  
Facsimile: (214) 981-3400  
December 10, 2004